

**SOUTH DAKOTA BOARD OF EXAMINERS OF PSYCHOLOGISTS
BOARD MEETING MINUTES
JULY 26 & 27, 2007
LEAD, SD**

Members Present: Frederick Magnavito, Ph.D., President; Bradley Woldt, Ph.D., Vice-President; Barbara Yutrzenka, Ph.D., Member; Thomas S. Stanage, Ph.D., Secretary; Doug Wessel, Ph.D., Member; Lorin Pankratz, Lay Member; Danny Green, Lay Member

Members Absent: None

Others Present: Carol Tellinghuisen, Executive Administrator; Jill Lesselyoung, Executive Assistant.

President Magnavito called the meeting to order at 11:04AM MST.

Approval of Minutes from the March 29, 2007 Meeting: Yutrzenka moved and Woldt seconded the approval of the March 29, 2007 minutes. Motion carried on a unanimous vote.

FY 2006 Financial Update: Lesselyoung reported on the finances through June 30, 2007. Current revenue is \$46,047.85. Expenses are \$38,214.19. Cash on hand is \$94,122.99. Pankratz moved and Woldt seconded a motion to approve the financial report as presented. Motion was carried by a unanimous vote.

Discussion Regarding the Maintenance and Retention of Records: The Board, at Dr. Magnavito's request, reviewed the AASPB Code of Conduct III.A.6.a.4) regarding the maintenance and retention of records. Based on this discussion, it is the Board's interpretation that the requirement to maintain basic test data from which the test results are derived means that the psychologist must maintain the original raw data to the extent that the raw or original data is needed to independently reconstruct the test or evaluation results. This data may be maintained in an electronic form.

Update on Recognition Plaques: Member Pankratz showed recognition plaques, which he had ordered, made for two past members of the Board. The plaques were made at the request of the Board and were paid for privately by present members. The plan is to present the plaques to the recipients preceding the next meeting in Sioux Falls.

The Board recessed for lunch at 11:50 AM and reconvened at 1:05 PM.

Complaints/Investigations: #186,187: The Board entered executive session at 1:06PM to discuss complaints and investigations. The motion for executive session by Yutrzenka, seconded by Wessel carried on a unanimous vote. The Board exited executive session at 3:20 PM on a unanimous vote based on a motion by Wessel and a second by Green.

#186: Magnavito recommended that the complaint be dismissed contingent upon the psychologist submitting to the Board procedures that ensure compliance with the Code of Conduct. The procedures would have to be approved by the Board. Woldt moved and Wessel seconded to dismiss contingent on the psychologist following the above recommendation. The motion was carried by a unanimous vote.

#187: No action was taken by the Board pending a legal opinion.

Continuing Education Update: Yutrzenka asked, in the interest of time, to table her report until the next meeting.

Discussion Applicant #265: The Board entered executive session at 3:30 PM on a unanimous vote based on a motion by Stanage and a second by Woldt. The Board exited executive session at 3:55 PM on a unanimous vote based on a motion by Yutrzenka and a second by Pankratz.

#265: Yutrzenka moved and Pankratz seconded a motion to deny the application because minimum requirements for Internship and coursework were not met. The motion carried on a unanimous vote.

Discussion On-Line Programs: The Board held a brief discussion regarding on-line programs.

Review Oral Exam Questions: Oral exam questions were reviewed and approved by the Board on a unanimous vote based on a motion by Stanage and a second by Green.

Final Draft Law & Rules Update: The Board received a proposed final draft of recommended changes in statutes and administrative rules. The draft was prepared by Attorney Stanton. An error in the draft was noted. The error is the result of apparent confusion regarding the differences between persons in the exempt status under SDCL 36-27A-2(2) and persons in an exempt status in the post-doctoral year of supervised psychology practice under SDCL 36-27A-12(4). The first exempt category is for employees of public and non-profit entities and applies only to employees who have a master's degree in psychology. The nature of the supervisory relationship for this category is spelled out in ARSD 20:60:06:01. The second category is for individuals who are in the final stage of preparation for licensure. Regarding the first exempt category there has been no proposed change for SDCL 36-27A-2(2) or for ARSD 20:60:06:01. In regard to the second category, we had proposed to clarify the qualification for licensure under SDCL 36-27A-12 and to promulgate a rule regarding the nature of an acceptable postdoctoral year of supervised psychology practice under ARSD 20:60. The Board requested that the appropriate changes be made to correct these errors in the draft.

ASPPB Annual Meeting of Directors: Stanage moved and Yutrzenka seconded a motion to have the president appoint a delegate from the Board to attend the ASPPB Annual Meeting of Directors. The motion carried on a unanimous vote.

ASPPB Board of Directors Meeting Minutes April 25, 2007: The minutes of the April 25, 2007 were made available for Board Review.

President Magnavito adjourned the meeting at 5:20 PM MST.

July 27, 2007

The meeting was called to order at 8:55 AM MST by President Magnavito.

Oral Examination Applicant #266: The Board entered an executive session at 9:00 AM on a unanimous vote based on a motion by Pankratz and a second by Wessel for the purpose of administering an oral examination. Wessel moved and Woldt seconded a motion to exit executive session at 10:00 AM. The motion carried by a unanimous vote.

Vote on Applicant # 266: The Board voted to ratify the license for Applicant # 266. The vote was unanimous based on a motion by Yutrzenka and a second by Wessel.

Additional Agenda Item: The Board discussed a question from a psychologist who asked for guidance regarding the possible utilization of a non-licensed staff person or assistant to carry out psychological testing. Staff was directed to respond that the Board would view the use of such staff to be the responsibility of the psychologist. They would function under the psychologist's license who would be responsible for all aspects of the non-licensed staff's performance. The psychologist would want to, in particular review, "AASPB Model Code of Conduct" as it relates to III. H. Assessment and III. J. Aiding Illegal Practice.

Schedule Next Meeting: The next meeting will be on Monday, November 5, 2007 in Sioux Falls.

Respectfully submitted,

Thomas Stanage, Ph.D.
Secretary